



THE AIRMAN'S SOURCE FOR LEGAL INFORMATION



THE BARRACKS LAWYER

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ARIZONA DIVORCE: A HOW-TO GUIDE

If you are stationed at Davis-Monthan and considering a divorce, this article will provide general information on how to start the process.

1. Before you begin, make sure you are eligible to file for divorce in Arizona. Have you or your spouse lived or been stationed in Arizona for at least 90 days? If yes, you can file here. Do NOT file prior to the 90 days or you will have to start the process over again. Also, if you and your spouse have minor children, we recommend waiting at least 6 months and speaking to an attorney beforehand.

2. Arizona is a "no-fault" state so you do not need to state a reason for the divorce. Rather, the only requirement is that the marriage be "irretrievably broken" or (in other words) there must be no reasonable possibility of you and your spouse getting back together.

3. Visit the Pima County Superior Court self-service website at <http://www.sc.pima.gov/Default.aspx?tabid=119>. On this site, you will find detailed instructions on the Arizona divorce process in Packet #1 as well as all the

forms you need to file for divorce in Pima County (note that divorce is called "dissolution" under Arizona law). You can also visit the Pima County Superior Court in person, which is located at 110 West Congress Street in downtown Tucson. There is a Self-Service Center on the second floor of the court in the Law Library (Room 256) where you can purchase forms, ask general questions, and search for an attorney. If you reside in a county other than Pima, please ask our attorneys for assistance with locating the appropriate court and paperwork.

4. Visit our office on Thursday walk-ins between 0730 and 0830 to speak with an attorney. Our attorneys can explain the divorce process and your rights, discuss potential issues, and help you figure out whether or not you need to hire a civilian attorney. If you decide to represent yourself rather than hire an attorney, we can also review your divorce paperwork prior to filing with the court. Please note that our attorneys cannot represent you in court.

5. If you and your spouse have minor children, you will need to fill out additional paperwork on Parenting

Time (custody and/or visitation) and Child Support. You will also need to attend a parenting class. Note that the law does not consider a stepchild a child of the marriage unless the stepparent has legally adopted the child.

6. When your paperwork is complete, make at least 3 copies. You will then file the original paperwork with the clerk of the Superior Court. It will cost you \$298 with children and \$263 without children. If you cannot afford these fees, you can request a fee waiver.

7. Keep one copy of the paperwork for your records and deliver the other copy to your spouse following the instructions in Packet #10 entitled Service on the other Party available on the court website. IMPORTANT: read this packet VERY carefully and ask an attorney for assistance if you do not understand how to properly deliver the paperwork to your spouse.

8. If everything goes well and you and your spouse can resolve all issues, the divorce process can be completed in as little as 60 days.

LEGAL ASSISTANCE

Powers of Attorney & Notary Service

Monday - Friday
(walk-in basis)
0900-1500

*Military Priority
1100-1300

Attorney Visit
(by appointment only)
Call 228-5242

OR

Walk-In Attorney Visits

(no appointment needed)
Thursdays
Active Duty & Dependents Only
0730-0830

CLAIMS ASSISTANCE

Air Force Claims Service Center

Fast * Friendly * Fair
M-F 0700-1700 EST
Phone: 877-754-1212

Damage of Household
Goods from DPS
Shipments
www.move.mil

HOW TO PREPARE YOUR LEGAL AFFAIRS BEFORE DEPLOYMENT

Have you received your orders to deploy? As members of the U.S. military, being away from home and family for extended periods of time is a constant reality. Deployments are never easy, but proper preparation can help minimize stress for you and your family while you are away. Below are some tips on how to best prepare yourself legally:

Deployer Tips

1. Don't delay! As soon as you receive orders to deploy, begin to prepare your legal affairs. **We cannot guarantee the availability of appointments if you wait until the last minute.**
2. Determine which legal documents you will need to prepare before you leave. For example, these may include: a General/Specific Power of Attorney, a Last Will and Testament and an Advance Medical Directive. For an explanation of these documents, see the January 2015 edition of THE BARRACKS LAWYER, Volume 4, Issue 1.
3. BEFORE visiting the legal office, save time by visiting the Air Force legal assistance website at <https://aflegalassistance.law.af.mil> and follow the applicable instructions at the bottom of this page.
4. You will need to schedule an appointment with an attorney if you need a last will and testament, an advance medical directive (living will), or durable power of attorney. We recommend filling out a worksheet on the legal assistance website (above), writing down the ticket number, and call 228-5242 or 228-1402 to set up an appointment.
5. General and specific powers of attorney are available on a walk-in basis Mon - Fri 0900-1500. You do not need an appointment unless you require a durable power of attorney. Please visit the legal assistance website above to fill out the applicable power of attorney worksheets and have your ticket number(s) available when you visit the legal office.
6. If you require an attorney's assistance with any other legal issues (SCRA, landlord/tenant, divorce, custody, consumer debt), set up an appointment with an attorney by calling 228-5242 or 228-1402 or coming into our office during walk-in

DEPLOYED FAMILY DINING — monthly program allowing families of deployed or remote troops to eat for free at the desert inn dining facility the first Tuesday of each month between the hours of 4-6pm. Contact a&frc for more information, 520-228-5690

WISDOM - VALOR - JUSTICE

PREPARING FOR YOUR LEGAL ASSISTANCE APPOINTMENT

LOG ONTO: <https://aflegalassistance.law.af.mil>

Wills & Powers of Attorney

1. Click on tab "Legal Worksheets."
2. Complete worksheet for documents you wish to have created.
3. Save your ticket number, then call the Legal Office for an appointment.
4. Please complete online survey!

Legal Assistance

1. Click on tab "Legal Information."
2. If the information you are looking for is not listed, call the Legal Office for an appointment.
3. Please complete online survey!

**TO SCHEDULE AN APPOINTMENT
CALL 228-5242**